

**South Carolina General Assembly**  
122nd Session, 2017-2018

**A168, R180, H4488**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Henderson, Fry, Hewitt, West, Spires, Atwater, Erickson, Norrell, Weeks, Douglas, Dillard, Ridgeway and Huggins

Document Path: I:\council\bill\cc\15164vr18.docx

Introduced in the House on January 9, 2018

Introduced in the Senate on February 28, 2018

Last Amended on April 18, 2018

Passed by the General Assembly on April 25, 2018

Governor's Action: May 3, 2018, Signed

Summary: Prescription Monitoring Program

**HISTORY OF LEGISLATIVE ACTIONS**

Date	Body	Action Description with journal page number
12/13/2017	House	Prefiled
12/13/2017	House	Referred to Committee on <b>Medical, Military, Public and Municipal Affairs</b>
1/9/2018	House	Introduced and read first time ( <a href="#">House Journal-page 128</a> )
1/9/2018	House	Referred to Committee on <b>Medical, Military, Public and Municipal Affairs</b> ( <a href="#">House Journal-page 129</a> )
1/23/2018	House	Member(s) request name added as sponsor: Fry, Hewitt, West, Spires, Atwater, Erickson, Norrell, Weeks, Douglas, Dillard, Ridgeway, Huggins
2/21/2018	House	Committee report: Favorable <b>Medical, Military, Public and Municipal Affairs</b> ( <a href="#">House Journal-page 3</a> )
2/22/2018		Scrivener's error corrected
2/27/2018	House	Read second time ( <a href="#">House Journal-page 9</a> )
2/27/2018	House	Roll call Yeas-111 Nays-0 ( <a href="#">House Journal-page 9</a> )
2/28/2018	House	Read third time and sent to Senate ( <a href="#">House Journal-page 11</a> )
2/28/2018	Senate	Introduced and read first time ( <a href="#">Senate Journal-page 21</a> )
2/28/2018	Senate	Referred to Committee on <b>Medical Affairs</b> ( <a href="#">Senate Journal-page 21</a> )
3/15/2018	Senate	Committee report: Favorable <b>Medical Affairs</b> ( <a href="#">Senate Journal-page 14</a> )
3/16/2018		Scrivener's error corrected
4/17/2018	Senate	Read second time ( <a href="#">Senate Journal-page 23</a> )
4/18/2018	Senate	Amended ( <a href="#">Senate Journal-page 20</a> )
4/18/2018	Senate	Read third time and returned to House with amendments ( <a href="#">Senate Journal-page 20</a> )
4/18/2018	Senate	Roll call Ayes-40 Nays-0 ( <a href="#">Senate Journal-page 20</a> )
4/19/2018		Scrivener's error corrected
4/25/2018	House	Concurred in Senate amendment and enrolled ( <a href="#">House Journal-page 78</a> )
4/25/2018	House	Roll call Yeas-109 Nays-0 ( <a href="#">House Journal-page 78</a> )
5/1/2018		Ratified R 180
5/3/2018		Signed By Governor
5/11/2018		Effective date 05/03/18
5/14/2018		Act No. 168

View the latest [legislative information](#) at the website

## **VERSIONS OF THIS BILL**

[12/13/2017](#)

[2/21/2018](#)

[2/22/2018](#)

[3/15/2018](#)

[4/18/2018](#)

[4/19/2018](#)

(A168, R180, H4488)

**AN ACT TO AMEND SECTION 44-53-1650, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING IN PART TO PERSONS AUTHORIZED TO HAVE ACCESS TO DATA MAINTAINED IN THE PRESCRIPTION MONITORING PROGRAM, SO AS TO AUTHORIZE CORONERS, DEPUTY CORONERS, MEDICAL EXAMINERS, AND DEPUTY MEDICAL EXAMINERS IN CERTAIN CIRCUMSTANCES.**

Be it enacted by the General Assembly of the State of South Carolina:

**Prescription monitoring program data confidentiality exceptions, coroners and medical examiners**

SECTION 1. Section 44-53-1650(D) of the 1976 Code is amended to read:

“(D) Drug control may provide data in the prescription monitoring program to the following persons:

(1) a practitioner or pharmacist or authorized delegate who requests information and certifies that the requested information is for the purpose of providing medical or pharmaceutical treatment to a bona fide patient;

(2) an individual who requests the individual’s own prescription monitoring information in accordance with procedures established pursuant to state law;

(3) a designated representative of the South Carolina Department of Labor, Licensing and Regulation responsible for the licensure, regulation, or discipline of practitioners, pharmacists, or other persons authorized to prescribe, administer, or dispense controlled substances and who is involved in a bona fide specific investigation involving a designated person;

(4) a local, state, or federal law enforcement or prosecutorial official engaged in the administration, investigation, or enforcement of the laws governing licit drugs and who is involved in a bona fide specific drug-related investigation involving a designated person;

(5) the South Carolina Department of Health and Human Services regarding Medicaid program recipients;

(6) a properly convened grand jury pursuant to a subpoena properly issued for the records;

(7) personnel of drug control for purposes of administration and enforcement of this article;

(8) qualified personnel for the purpose of bona fide research or education; however, data elements that would reasonably identify a specific recipient, prescriber, or dispenser must be deleted or redacted from such information prior to disclosure. Further, release of the information only may be made pursuant to a written agreement between qualified personnel and the department in order to ensure compliance with this subsection; and

(9) a coroner, deputy coroner, medical examiner, or deputy medical examiner who is involved in a specific inquiry into the cause and manner of death of a designated person pursuant to Chapter 5, Title 17.”

**Time effective**

SECTION 2. This act takes effect upon approval by the Governor.

Ratified the 1<sup>st</sup> day of May, 2018.

Approved the 3<sup>rd</sup> day of May, 2018.

---